

**FILED
UNDER
SEAL**

Prob12C
D/NV Form
Rev. March 2017

United States District Court
for
the District of Nevada

PETITION FOR SUMMONS
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **Arnold Bryan Bernard Hall**

Case Number: **2:15CR00101**

Name of Sentencing Judicial Officer: **Honorable Jennifer A. Dorsey**

Date of Original Sentence: **July 18, 2016**

Original Offense: **Felon in Possession of a Firearm**

Original Sentence: **46 Months prison, followed by 36 Months TSR.**

Date Supervision Commenced: **September 11, 2018**

Name of Assigned Judicial Officer: **Honorable Jennifer A. Dorsey**

PETITIONING THE COURT

☒ To issue a summons:

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Refrain From Unlawful Use of Controlled Substance** - The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually. Revocation is mandatory for refusal to comply.

A. Hall tested positive for marijuana on the following dates:

- July 12, 2019
- November 17, 2019
- November 19, 2019
- December 9, 2019

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- December 10, 2019
- December 18, 2019

B. Hall failed to report for drug testing on the following dates:

- November 11, 2018
- November 24, 2018
- January 28, 2019
- February 26, 2019
- April 16, 2019
- May 9, 2019
- May 26, 2019
- August 12, 2019
- August 18, 2019
- December 6, 2019
- December 17, 2019
- January 16, 2020

2. **Community Service – You must complete 40 hours of community service within 60 days. The probation officer will supervise the participation in the program by approving the program (agency, location, frequency of participation, etc.). You must provide written verification of completed hours to the probation officer.**

On December 4, 2019, Your Honor approved the modification for Hall to complete 40 hours of community service within 60 days as a sanction for his continued positive drug tests. To date, Hall has not completed the community service hours. Hall was required to have the hours completed by February 4, 2020.

3. **The defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer.**

At onset of supervision, Hall was instructed by his probation officer to submit a truthful and complete written report each month. Hall failed to submit monthly supervision reports for the months of October, November, and December 2019.

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U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked

I declare under penalty of perjury that the
information contained herein is true and correct,

Executed on **February 4, 2020**

Annis C. Seopaul Sones Annis Seopaul Sones
2020.02.06 10:50:40
-08'00'

Annis C. Seopaul Sones
United States Probation Officer

Approved:

• *Todd Fredlund* Todd Fredlund
2020.02.06
09:31:45 -08'00'

Todd J. Fredlund
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
☐ The issuance of a warrant.
☒ The issuance of a summons.
☐ Other:

[Signature]

Signature of Judicial Officer

02/07/2020

Date

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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. ARNOLD BRYAN BERNARD HALL, 2:15CR00101**

**SUMMARY IN SUPPORT OF PETITION FOR SUMMONS
February 4, 2020**

On July 18, 2016, Arnold Bryan Bernard Hall was sentenced to 48 months imprisonment followed by 36 months of supervised release for committing the offense of Felon in Possession of a Firearm. Supervised release commenced in the District of Nevada on September 11, 2018.

In a reported dated April 12, 2019, the Probation Office informed Your Honor that Hall failed to report for drug testing on three occasions. Following each of those missed tests, Hall reported to the Probation Office and tested negative. Hall was warned that if he continued to miss tests, the Court would be notified with a recommendation for punitive action.

Shortly thereafter, Hall failed to report for drug testing for a fourth time on April 16, 2019, and the Court was notified again on April 19, 2019. To address his noncompliance, the Probation Office recommended Hall complete 20 hours of community service as a sanction, which was in addition to 40 hours of community service he was ordered to complete as a condition of supervision, within three months. Hall agreed to the modification, and Your Honor approved the modification on May 1, 2019. Hall completed the required hours.

On August 15, 2019, a third violation report was submitted to Your Honor advising that Hall tested positive for marijuana on July 12, 2019. In addition, Hall missed yet another drug test and then followed-up with an invalid drug test. In response to his continued violation conduct Hall's conditions were modified on August 20, 2019 to include a curfew with location monitoring. Hall has since successfully completed his court-imposed curfew.

On December 3, 2019, a fourth violation reported was submitted to Your Honor advising that Hall once again tested positive for marijuana on November 18, 2019. Hall reported to the probation office on November 19, 2019 wherein he submitted to a drug test that was positive for marijuana. Hall denied use stating that his siblings recently were at his house and they were smoking marijuana. It is noted this is a similar explanation Hall proffered following his positive drug test in July 2019. Hall was admonished then for associating with others using marijuana and reminded of his conditions of supervision. Hall was once again reminded he is to refrain from associating with or being around anyone using marijuana. Although Hall denies use his urine specimen was confirmed positive for the presence of marijuana.

To address his continued noncompliance, the Probation Office recommended Hall complete 40 hours of community service as a sanction, to be completed within 60 days. Hall agreed to the modification, and Your Honor approved the modification on December 4, 2019. To date, Hall has not provided verification to the Probation Office that he has completed the community service.

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Less than a week after being admonished for his positive drug tests, Hall tested positive for marijuana on December 9, 2019, December 10, 2019, and December 18, 2019.

On January 16, 2020, the undersigned submitted a request for interpretation for marijuana regarding Hall's usage levels. On January 17, 2020, a report from the National Laboratory was received to which it was confirmed that Hall reused marijuana prior to each of the following dates: November 11, 2019, December 9, 2019, December 10, 2019 and December 18, 2019. It was noted that the specimen collected on November 18, 2019 appeared to be residual elimination.

In addition, Hall is also required to submit a truthful and complete written report each month. Hall failed to submit monthly supervision reports for the months of October, November, and December 2019.

Since the onset of supervision, Hall has missed twelve (12) drug tests and has tested positive six (6) times for marijuana. To Hall's credit he has maintained employment as a flagger and has been responsive in his communication with the probation office. He has also been attending Moral Reconciliation Therapy (MRT).

Hall has struggled to remain compliant and adhere to his conditions of supervision as reflected by this petition. Pursuant to 18 § 3583 (g)(4), revocation is mandatory for testing positive for illegal controlled substances more than three (3) times over the course of (one) 1 year. As reflected in this petition, Hall has tested positive for an illegal controlled substance on six (6) occasions within a six month period. Hall admitted to the undersigned officer of continuous marijuana use to cope with stress. As such, the Probation Office respectfully requests the issuance of a summons to initiate revocation proceedings.

Respectfully submitted,

Annis C. Seopaul Sones Annis Seopaul Sones
2020.02.06 10:50:59
-08'00'

Annis C. Seopaul Sones
United States Probation Officer

Approved:

• *Todd Fredlund* Todd Fredlund
2020.02.06
09:32:08 -08'00'

Todd J. Fredlund
Supervisory United States Probation Officer